

**ATTORNEY'S DOCKET NUMBER: 2006517-0009 (Bacterial Delivery DIV1)**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Caplan et al.	Examiner:	Huynh
Serial No.:	10/728,051	Art Unit:	1644
Filing Date:	December 4, 2003		
Title:	MICROBIAL DELIVERY SYSTEM		

Commissioner for Patents  
c/o Supervisory Patent Examiner Art Unit 1644  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**STATEMENT ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**  
**UNDER 37 C.F.R. § 3.73(b) AND**  
**CONSENT OF ASSIGNEE UNDER 37 C.F.R. § 1.48(a)(5)**

Allertein Therapeutics, LLC, the assignee of the entire interest in the subject matter of the above-referenced patent application, as evidenced by the Assignment from sole inventor Michael J. Caplan to Seer Pharmaceuticals, LLC recorded August 11, 2004 (Reel/Frame: 015670/0904) and Assignment Change from Seer Pharmaceuticals, LLC to Allertein Therapeutics, LLC recorded on September 13, 2006 (Reel/Frame: 018241/0373), hereby consents to the addition of Hugh A. Sampson, A. Wesley Burks, H. Kim Bottomly and Howard B. Sosin as inventors to the above-referenced patent application.

More specifically, the Assignee agrees to the change of inventorship in the above-captioned patent application from Michael J. Caplan as sole inventor, to Michael J. Caplan, Hugh A. Sampson, A. Wesley Burks, H. Kim Bottomly and Howard B. Sosin as joint inventors.

I, a person authorized to sign on behalf of the Assignee, have reviewed the evidentiary documents referred to above and certify that, to the best of my knowledge

and belief, title is mine as Assignee who seeks to take action under 37 C.F.R. § 1.48(a)(5).

ALLERTEIN THERAPEUTICS, LLC

Signature:   
Name: Howard Sosin  
Title: President & CEO  
Date: 29 June 09